



AP/ IFW  
S&H Form: (2/01)  
DOCKET NO. 1826.1170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jens C. RASMUSSEN et al.

Serial No: 10/581,853

Group Art Unit: 2874

Confirmation No. 4592

Filed: June 5, 2006

Examiner: Jerry T Rahl

For: POLARIZATION MODE DISPERSION COMPENSATOR AND POLARIZATION MODE  
DISPERSION COMPENSATING METHOD

**COMMUNICATION TO THE EXAMINER**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

A Notice of Allowance was issued on June 3, 2009. The Notice of Allowability cites that claims 2-8, 11-13 and 16 are allowed. The Notice of Allowability has inadvertently omitted claims 17 and 18. It is respectfully requested that a Supplemental Notice of Allowability be issued correcting this error.

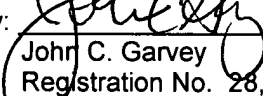
Please find attached the Notice of Allowability mailed on June 3, 2009 and the May 4, 2009 Amendment after final which placed the application in condition for allowance for the Examiner's convenience.

Since the Issue Fee is due on September 3, 2009, this matter is somewhat urgent.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8-31-09

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### Notice of Allowability

Application No.	Applicant(s)	
10/581,853	RASMUSSEN ET AL.	
Examiner	Art Unit	
JERRY T. RAHLL	2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendment received 04 May 2009.
2. ☒ The allowed claim(s) is/are 2-8, 11-13 and 16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>3/3/09</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Jerry T Rahll/  
Primary Examiner, Art Unit 2874

Amendment Fee Transmittal (1pg); Amendment (7pp); No Fees

APPLICANT(S): Jens C. RASMUSSEN et al.

SERIAL NO: 10/581,853

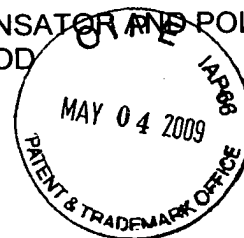
CONFIRMATION NO. 4592

TITLE: POLARIZATION MODE DISPERSION COMPENSATOR AND POLARIZATION  
MODE DISPERSION COMPENSATING METHOD

FILING DATE: June 5, 2006

DOCKET NO: 1826.1170/JCG:scb

DUE DATE: May 18, 2009



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